

Minutes of the Land Use, Parks and Environment Committee - December 6, 2005

The meeting was called to order at 8:45 a.m. by Chair Kolb.

Present: Chair Walter Kolb, County Board Supervisors Kathleen Cummings, Pauline Jaske, Bill Kramer, Daniel Pavelko (arrived at 8:48 a.m.), Scott Klein, Vera Stroud (arrived at 9:02 a.m.), Land Conservation Member Michael Beaumont

Staff Present: Legislative Policy Advisor Mark Mader, Legis. Associate Sandra Meisenheimer

Also Present: SEWRPC Executive Director Phil Evenson, Parks and Land Use Planning & Zoning Mgr. Dick Mace, County Executive Chief of Staff Jenifer Finley, Assistant Principal Corporation Council Debbie Price, Parks System Mgr. Jim Kavemeier, Supervisor Rodell Singert

Public Present: Linda Brenner of Brookfield, Henry Elling of Town of Summit, Michael Doble of Town of Vernon, Dan Warren of Pabst Farms (Development Mgr.)

Approve Minutes of November 15, 2005

Held over to the next meeting.

Consider Proposed Resolution: 160-R-013 Amend the Regional Water Quality Management Plan for the City of Oconomowoc, Waukesha County, Wisconsin (*Tabled at Committee Meeting of 11/15/05*)

Motion: Cummings moved, second by Klein, to take Resolution 160-R-013 off the table. **Motion carried 4 – 0.**

Phil Evenson was present to answer questions from the committee. A colored map of the area was distributed. Evenson stated this issue was pretty straightforward irrespective of what development goes into the triangular portion of the Pabst Farms Development project. There are certain givens that they look at as comprehensive planners, such as access points to Highway 67 and Highway DR. One of the issues is always circulation within a development site and in this case the Pabst Farms people, as well as SEWRPC, believe that a new road through the site with two exits on DR is the most desirable way to provide access. When you look at the old borrow pit, it intrudes into the most visible and most valuable, according to Evenson, part of the development site, and because it was a manmade feature it is by its nature a candidate for some modification. When the City, Pabst Farms, the Town and county staff talked about a modification to the pond, SEWRPC did not have a problem with it. It is part of the corridor as the criteria and mapping suggests but they think it is modifiable. This is a win-win situation for the development because in the long run there will be a better environment also.

Kramer asked in regard to the area that is being added (green on map), does it include the Indian Mounds? Evenson said yes, 2 of the 3. Kramer asked how much of the 12.7 acres is being added to the environmental corridor? Evenson replied probably no more than an acre or so. Cummings asked about mitigating the land that is being lost.

Dan Warren stated there are five Indian Mounds involved in this project. At one point there were close to 30 Indian Mounds in this area. The I-94 construction wiped out the lion share along with the borrow pit. The remainder is north of I-94 (two mounds) and south of I-94 (three mounds) in the area being discussed. Evenson said if SEWRPC had known about the Mounds, they would have been wrapped into the corridor originally, but Kramer's point is there shouldn't be mitigation credit for land that could not be developed anyway.

Motion: Pavelko moved, second by Kramer, to approve Resolution 160-R-013.

Discussion and questions by the committee and those in attendance continued. To Jaske's question about the justification in changing the borrow pit, Evenson replied the filling of the western center 12 acres of borrow pit area creates a better development site than if it wasn't done. The win for the environmental side is a better-delineated, enhanced and strengthened corridor. Klein said we should add something to what is being put back into the environmental corridor to offset what is being taken out. Also, without a specific plan you may be back here again reconfiguring it so why do it now without a specific plan in place?

Supervisor Rodell Singert spoke under *Public Comment*. Singert said the design is arbitrary. There is no real project out there to identify this change. He doesn't think this pond has to be this size or in this location. He doesn't think we have to comply with the one for one. This resolution in its present form is not appropriate. Warren made comments and gave some background on the project. He stated there is a stormwater management plan that was created six years ago for all of Pabst Farms, and it created a lot of stormwater facilities. It will create facilities he invites you to look at in the same context as you do the environmental corridor. At the end of the day, they will probably have in excess of at least 100 acres of newly created stormwater facilities that contain water features and groundwater infiltration areas. All of those facilities will have the slopes planted. He said it is difficult for him to talk about one-half acre more or one acre more when his perspective is simply much broader by what they are doing on the project as a whole. All of the stormwater facilities being created will be owned and operated by a municipal entity (Pabst Farms Stormwater District). Warren said these other things being created are much broader and contain significant acreage that will deliver the same types of benefits that the Environmental Corridor would.

Motion: Klein moved, second by Cummings, to amend the resolution to add land to the Environmental Corridor to mitigate the loss of what is now in the Environmental Corridor plus other sensitive areas such as the Indian mounds.

Evenson said if that is the Board's position, he is duty bound to go back to the drawing board and try to achieve that objective, which was kind of their original objective too. Kolb said to make an amendment is a hindrance to a good and well-planned development.

To Mader's concerns, Price stated that Evenson has said he is duty bound to look at it which means we have a history of working together. As long as he is indicating his agency will look, reconsider and possibly modify, we strive toward consistent plans. Ultimately, the county would adopt this into the county development plan. That is what the goal is. SEWRPC has held a public hearing and they have acted. How this is being handled here shows we can work through it. The main point is what are we trying to do and are we clear in what we're asking SEWRPC. Evenson will report back.

On the amendment, motion carried 5 – 2; Kolb and Pavelko voting no. On the motion as amended, motion carried 7 – 0.

Consider Proposed Ordinance: 160-O-084 (Michael Doble) Town of Vernon, Section 10. Wildwood Meadows Subdivision, being a part of the NW ¼ of Section 10, T5N, R19E, Town of Vernon. Request: Amend Condition No. 5 of rezoning petition SZ-1364 to allow no more than seven lots to be created in the Wildwood Meadows Subdivision (SZ-1364A)

Mace explained the location of the rezoning. The proposed land use is for the ability to create one additional lot, resulting in a total of seven lots. Mace stated what they're doing is amending the ordinance conditions that were previously imposed for this property back in 1997 or 1998. Michael Doble of the Town of Vernon gave a detailed explanation as to his intentions in regard to developing his lot consisting of approximately 2.36 acres. The petitioner is requesting this amendment because he is interested in using the existing foundation of a barn to construct a guesthouse on his property for his in-laws. A long discussion continued. The Planning staff is recommending approval subject to a number of conditions as detailed in the ordinance.

Motion: Kramer moved, second by Pavelko, to approve Ordinance 160-O-084. **Motion carried 6 – 1; Klein voting no.**

Consider Proposed Ordinance: 160-O-085 (Jim Rozeski) Town of Vernon, Section 33. The property is located in part of the NW ¼ and SW ¼ of Section 33, T5N, R19E, Town of Vernon. Request: Rezone from the A-2 Rural Home and RRD-5 Rural Residential Density 5 Districts to the A-3 Suburban Estate District (CZ-1578)

Mace pointed out the rezoning which involves a couple pieces of land. The proposed land use is for a six-lot residential subdivision on approximately 31 acres of land. The proposed subdivision will consist of four 2 to 2.7 acre lots on the north side of the property and a long narrow outlot to be used for stormwater management on the northwest side of the property. The Planning staff is recommending approval subject to seven conditions as outlined in the ordinance.

Motion: Kramer moved, second by Cummings, to approve Ordinance 160-O-085. **Motion carried 6 – 0.**

Consider Proposed Ordinance: 160-O-086 Approve Porter Property Acquisition

Kavemeier gave a power point on the acquisition of the Porter property in the Town of Vernon. He stated that the property size is 40.99 +/- acres for a purchase price of \$280,000 which is an average price per acre of \$6,830.93.

Motion: Klein moved, second by Cummings, to approve Ordinance 160-O-086. **Motion carried 6 – 1; Pavelko voting no.**

Motion to adjourn: Kramer moved, second by Pavelko, to adjourn the meeting at 11:10 a.m. **Motion carried 7 – 0.**

Respectfully submitted,

Pauline T. Jaske
Secretary

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